

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claim 3 was previously cancelled without prejudice to or disclaimer of the subject matter contained therein. Claims 1, 2, and 4-10 are pending. Claims 1, 6, and 10 are independent, each of which is amended. The Examiner is respectfully requested to reconsider the rejections in view of the remarks set forth herein.

Rejections Under 35 U.S.C. §103(a)

Claims 1, 4, and 5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Noe et al. (U.S. 5,494,055) in view of Miyauchi et al. (U.S. 2002/0074007);
claim 2 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Noe et al. and Miyauchi, and further in view of Baker et al. (U.S. 4,624,268);
claims 6-8 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Noe et al. and Miyauchi et al., and further in view of W.B. Lowman (U.S. 2,999,520); and
claim 9 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Noe et al., Miyauchi, and W. B. Lowman, and further in view of Marchese et al. (U.S. 2,320,702) and Eckstein et al. (U.S. 2001/0009938-A1).

These rejections are respectfully traversed.

Amendments to Independent Claims 1, 6, and 10

While not conceding the appropriateness of the Examiner's rejection, but merely to advance the prosecution of the present invention, each of independent claims 1, 6, and 10 has been amended to recite a combination of features, including *inter alia*

a double wrapper cigarette having a triple layer structure, comprising ...

a double wrapper wrapped around said rod-shaped filler, said double wrapper including an inner wrapper surrounding said filler without overlap of opposite side edges thereof, and an outer wrapper surrounding said inner wrapper, said outer wrapper having an overlap of opposite side edges thereof.

As is clear from independent claim 1, the inner and outer wrappers of the double wrapper cigarette of the present invention constitute one double wrapper wrapped around the rod-shaped filler.

The double wrapper has a seam structure such that the opposite side edges of the inner wrapper do not overlap each other. Thus, when the opposite side edges of the outer wrapper are overlapped and joined, the opposite side edges of the inner wrapper do not hinder the joining of the opposite side edges of the outer wrapper. Consequently, the double wrapper can be wrapped, just like an ordinary single wrapper, around the rod-shaped filler.

The seam structure of the double wrapper of the present invention is not disclosed or suggested by Noe et al. or Miyauchi et al.

Thus, if Miyauchi et al. and Lowman are applied to Noe et al., the machine and method as set forth in independent claims 6 and 10 are not rendered obvious.

*Application No. 10/771,328
Reply dated Decemer 17, 2007
Reply to Office Action of September 17, 2007*

*Docket No. 1131-0500P
Art Unit: 1731
Page 9 of 10*

At least for the reasons explained above, the Applicants respectfully submit that the combination of elements as set forth in each of independent claims 1, 6, and 10 is not disclosed or made obvious by the prior art of record, including Noe et al., Miyauchi et al. and Lowman.

Therefore, independent claims 1, 6, and 10 are in condition for allowance.

Dependent Claims

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

*Application No. 10/771,328
Reply dated December 17, 2007
Reply to Office Action of September 17, 2007*

*Docket No. 1131-0500P
Art Unit: 1731
Page 10 of 10*

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

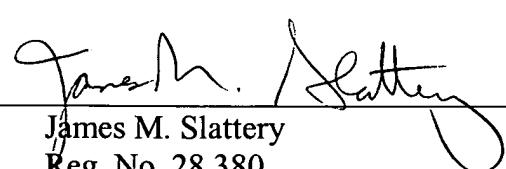
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Dated: December 17, 2007

Respectfully submitted,
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


James M. Slattery
Reg. No. 28,380

P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

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